

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

DUWAYNE BAIRD,

Plaintiff,

v.

CAPITAL ONE FINANCIAL
CORPORATION et al.,

Defendants.

Case No. 1:19-cv-979 (Original)
Case No. 3:19cv585 (Reassigned)

**DEFENDANTS' MOTION FOR RECONSIDERATION,
OR, IN THE ALTERNATIVE, CORRECTION OF ORDER**

Defendants Capital One Financial Corporation, Capital One, N.A., and Capital One Bank (USA) (collectively, "Defendants") move this Court reconsider, or alternatively to correct, its Order granting Plaintiffs' Motion to Consolidate (Dkt. No. 6) (the "Order") directing the transfer of this action, as well as civil actions 1:19-cv-1008 (*Castro*) and 1:19-cv-1021 (*Barnes*), to the Richmond Division for consolidation with civil action 3:19-cv-555 (*Heath*).¹ In support of this motion and similar motions filed in the other transferred actions, Defendants have submitted a memorandum of law in civil action 1:19-cv-1008 (*Castro*).

Respectfully submitted, this 14th day of August, 2019.

**CAPITAL ONE FINANCIAL CORPORATION
CAPITAL ONE, N.A.
CAPITAL ONE BANK (USA), N.A.**

/s/ Mary C. Zinsner

¹ In order to preserve its position, Capital One files this motion in the original case number assigned to this matter and the new case number assigned pursuant to the Court's August 13, 2019 Order.

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CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of August 2019, I electronically filed the foregoing pleading with the Clerk of the Court using the CM/ECF System, which will then send a notification of such filing (NEF) to all counsel of record.

/s/ Mary C. Zinsner

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